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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,676	12/22/2000	David E. Miner	42390P10141	1649

8791 7590 02/11/2004

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EXAMINER

CHUNG, PHUNG M

ART UNIT PAPER NUMBER

2133

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/746,676

Applicant(s)

MINER ET AL.

Examiner

Phung M. Chung

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2133

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Douskey et al (6,115,763).

As per claim 1, Douskey et al disclose the invention substantially as claimed, comprising: a multi-core processor and

At least one test control mechanism;

The multi-core processor and the test control mechanism having a configuration so as to allow testing of the multi-core processor. (See col. 5, lines 35-59).

As per claims 2 and 17, the teaching of Douskey et al had been discussed above. Douskey et al further disclose, wherein the multi-core processor comprises at least two processor cores (col. 5, lines 35-40) and at least one circuit comprising non-processor core logic. (See col. 7, lines 39-54).

As per claim 3, Douskey et al further disclose, wherein the multi-core processor and the test control mechanism having a configuration so as to allow testing of at least two processor cores of the multi-core processor. (See col. 5, lines 35-59).

As per claims 4 and 6-9, Douskey et al further disclose, wherein the at least one test control mechanism respectively comprises at least one test access port

Art Unit: 2133

controller and a plurality of distributed data and control registers... (See col. 18, lines 40-52).

As per claim 5, Douskey et al further disclose, wherein the at least one test control mechanism is substantially compliant with the IEEE 1149.1 specification. (See col. 18, lines 40-48).

As per claims 10-16, Douskey et al further disclose, wherein at least one of the at least two processor cores comprises one test access port which includes one test access port controller and a plurality of distributed data and control registers. (See col. 15, lines 1-11).

As per claims 18-29, these claims are also rejected under the same rationale as set forth in claims 1-17.

As per claims 30-37, these method claims are also rejected under the same rationale as set forth in system claims 1-29.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung M. Chung whose telephone number is 703-305-9686. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

Application/Control Number: 09/746,676

Page 4

Art Unit: 2133

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PHUNG M. CHUNG
PRIMARY EXAMINER